

EXHIBIT C

(Declaration of Nanci Morris Lyon)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY MINERALS
LTD. and PEBBLE LIMITED
PARTNERSHIP,

Plaintiffs,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Defendant,

TROUT UNLIMITED,

Intervenor-Defendant.

Case No. 3:24-cv-00059-SLG

DECLARATION OF Nanci Morris Lyon

I, Nanci Morris Lyon, state and declare as follows:

1. I am an active member of Trout Unlimited (“TU”). I have been an individual and business member since 2013 and have made personal donations to TU since 1989. I have traveled to Anchorage and Juneau for meetings with decisionmakers and joined numerous letters on behalf of TU. I have hosted numerous meetings, fundraisers and educational events at my lodge on behalf of TU and have been heavily involved in fisheries conservation efforts in the Bristol Bay region and throughout Alaska.

2. Over the past decade, I have owned and operated Bear Trail Lodge in King Salmon, Alaska. Bear Trail Lodge is a premier Alaska luxury vacation destination with stunning views of the Naknek River and mountains of Katmai National Park. The area is

a mecca to TU members and other fishing enthusiasts for its world-class trout and salmon fishing as well as unique resident fish.

3. I have also been a guide in the Bristol Bay watershed since 1984—the very first female guide in the region. I am the lead instructor and one of the original founders of the Bristol Bay Fishing and Guide Academy, a local youth guide program, operating since 2007. The Guide Academy accepts applications from youths aged 14-25 who have a keen interest in activities in the Bristol Bay watershed and hospitality industry. Of the 30-40 annual applications, I select a dozen individuals to train and work at the lodge. Many of the local lodges hire from the Guide Academy.

4. Fishing is the heart of why customers stay at Bear Trail Lodge and why my business is located exactly where it is in the Bristol Bay watershed. For example, in June, the Chinook (“king”) salmon arrive, and anglers visit to fish for kings on the Naknek, Nushagak, and Alagnak Rivers. At the end of June and through July, the Naknek River becomes the passageway for sockeye salmon to return to their spawning grounds. Millions of sockeye pass right in front of the lodge, with as many as 20,000 fish per hour swimming by. Silver, chum, and pink salmon follow later in July. From mid-August through October, rainbow trout return to the Naknek and create a “trophy” time of the season on our home rivers. We offer fishing outside the lodge as well as fly-outs to take guests to different rivers throughout the area to fish for all five species of salmon, Dolly Varden, arctic char,

grayling, and rainbow trout. In addition to catch-and-release fishing, we offer dining on fresh-caught fish and sealed packaging for guests to take fish with them when they go.

5. Wildlife viewing is an increasing draw for customers while they are at my lodge. Many customers want to fish next to bears, wolves, wolverines, foxes, and other wildlife that feed on the bountiful fish. Customers also visit the nearby Katmai National Park for world-class bear viewing.

6. In addition to owning and operating the business with my husband, my family fishes year-round and is actively engaged in local high school sports, subsistence hunting, ice fishing for pike in the winters, and other activities steeped in the rich local community. My daughter is also a local fishing guide, and her husband is an Alaskan bush pilot—both of whom are deeply reliant on the preservation of the Bristol Bay watershed.

7. My customers come from around the world, though a vast majority are from the lower 48 states. Most of the lodge's guests are repeat customers or referrals who come specifically based on their experience at Bear Trail Lodge. Customers often remark of the pristine beauty and the impossibility of finding a similar destination.

8. The proposed Pebble Mine is an existential threat to my business. The adverse impacts to fish returns, fishing opportunities, and loss of streams, waterways, and fish spawning grounds, all would be detrimental to my lodge's purpose and primary fishing business. To change the pristine and remote environment to accommodate for increased population, roads, pipeline construction, administrative offices, miner's accommodations,

and all the other infrastructure that accompanies mining would ruin the community and ecosystems here and make the area entirely undesirable as a vacation destination. I live and work here because it is a unique and undisturbed environment.

9. The threat of water contamination or mining accidents is a very real concern and that concern alone drives away business. I cannot operate a business where the water is not clean to drink, the fish are toxic or dying, and severe mining accidents may occur.

10. My customers are already aware of the potential mine and many have stated that they would not return to my lodge if mining is underway. Put simply: No one wants to fish and vacation next to an active mining site with increasing rock waste piles and drainage and fears of contamination or accidents.

11. The Environmental Protection Agency's ("EPA's") 2023 Final Clean Water Act Determination ("Final Determination") is a safeguard against the ruinous effects mining would have in Bristol Bay and the downstream impacts on my family's business and livelihood.

12. Should the Final Determination be overturned in whole or in part, it would inject deep uncertainty into my life. I would no longer be able to assure customers that my lodge, local fishing areas, and watershed will remain protected for future fishing and excursions. That will severely hamper the time, resources, and money my family and I have poured into our business, and impede future planning.

13. Affirming the Final Determination would redress my concerns and allow me to move forward with my business and assure my customers that the prohibition against mining around Bristol Bay will remain firmly in place. Steps toward keeping the Final Determination in place and preventing eventual mining in Bristol Bay all support the future of my business and way of life in the watershed.

* * *

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: 5/10/24

King Salmon, AK

Signed,

A handwritten signature in blue ink, appearing to read "Nanci Morris Lyon", is written over a horizontal line.

Nanci Morris Lyon